

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Patent

Patent No.: 7,443,261

Inventors: Hiroyuki YOSHIKAWA et al. Art Unit: 2817

Application No.: 10/591,346 Conf. No.: 9541

Filed: August 31, 2006 Examiner: R. Johnson

For: PHASE MODULATION APPARATUS, COMMUNICATION DEVICE,  
MOBILE WIRELESS UNIT, AND PHASE MODULATING METHOD

REQUEST FOR CERTIFICATE OF CORRECTION  
PURSUANT TO 35 USC 254 (OFFICE MISTAKE)

Honorable Commissioner of  
Patents and Trademarks  
Washington, DC 20231

Sir:

A Certificate Of Correction of the above-captioned patent is respectfully requested.

Grant of this Request is respectfully requested in accordance with the provisions of 35 USC 254 which states:

35 U.S.C. 254 Certificate of correction of Patent and Trademark Office mistake.  
Whenever a mistake in a patent, incurred through the fault of the Patent and Trademark Office, is clearly disclosed by the records of the Office, the Director may issue a certificate of correction stating the fact and nature of such mistake, under seal, without charge, to be recorded in the records of patents. A printed copy thereof shall be attached to each printed copy of the patent, and such certificate shall be considered as part of the original patent. Every such patent, together with such certificate, shall have the same effect and operation in law on the trial of actions for causes thereafter arising as if the same had been originally issued in such corrected form. The Director may issue a corrected patent without charge in lieu of and with like effect as a certificate of correction.

In the present patent, the following foreign references are not shown in item (56) under

Foreign Patent documents:

JP 2002-368,630 12/2002

JP 2003-510,899 3/2003

JP 2002-515,205 5/2002 and

JP 2002-009,695 1/2002.

These references were indicated as considered by the Examiner in an Office Communication dated September 16, 2008. However, the Letters Patent which issued on October 28, 2008, fails to list the above mentioned references under the Foreign Patent Documents in item (56).

In column 15, line 51 (claim 5) should read "said communication system modes comprise two kinds of..." as shown in, for example, the Amendment Under 37 CFR 1.111 filed April 8, 2008.

However, the Letters Patent which issued on October 28, 2008 reads "said communication system modes comprise two kinds communication modes..." which erroneously excludes the word "of" between "two kinds" and "communication modes."

In column 15, line 64 (claim 6) should read "said communication system modes comprise two kinds of..." as shown in, for example, the Amendment Under 37 CFR 1.111 filed April 8, 2008.

However, the Letters Patent which issued on October 28, 2008 reads "said communication system modes comprise two kinds communication modes..." which erroneously excludes the word "of" between "two kinds" and "communication modes."

In column 16, line 54 (claim 10) should read "mode setting signal is wideband compared with said bandwidth of said phase...," as shown in, for example, the Amendment Under 37 CFR 1.111 filed April 8, 2008.

However, the Letters Patent which issued on October 28, 2008 reads "wideband compared with said a bandwidth of said phase...," which erroneously includes the word "a" between "said" and "bandwidth."

It is submitted that issuance of a Certificate of correction is warranted under 37 CFR 1.322 and MPEP 1480 in that the above-noted error is consequential, is not of a minor typographical nature, and is not readily apparent to one skilled in the art.

Grant of the attached Request for Certificate of Correction is respectfully solicited.

Respectfully submitted,

/James Edward Ledbetter/

Date: February 12, 2009  
JEL/att

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UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION

PATENT NO. : 7,443,261

DATED : 10/591,346

INVENTOR(S) : Hiroyuki YOSHIKAWA et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the title page: Item (56) for the References Cited reads:

FOREIGN PATENT DOCUMENTS

JP 04358415 A \* 12/1992  
WO WO 3032493 A \* 4/2003

and should read:

FOREIGN PATENT DOCUMENTS

JP 04358415 A \* 12/1992  
WO WO 3032493 A \* 4/2003  
JP 2002 368,630 12/2002  
JP 2003 510,899 3/2003  
JP 2002 515,205 5/2002  
JP 2002 009,695 1/2002

In column 15, claim 5, line 51 reads:

"said communication system modes comprise two kinds..."

and should read:

"said communication system modes comprise two kinds of..."

In column 15, claim 6, line 64 reads:

"said communication system modes comprise two kinds..."

and should read:

"said communication system modes comprise two kinds of..."

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PATENT NO. 7,443,261

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DATED : 10/591,346

INVENTOR(S) : Hiroyuki YOSHIKAWA et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In column 16, claim 10, line 54 reads:

"mode setting signal is wideband compared with said a ...,"

and should read:

"mode setting signal is wideband compared with said...,"

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